

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE ENROLLED ACT No. 1333

AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 21-12-3-1, AS AMENDED BY P.L.281-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) An applicant is eligible for a first year higher education award under this chapter if the student meets the following requirements:

- (1) The applicant is a resident of Indiana, as defined by the commission.
- (2) The applicant:
 - (A) has successfully completed the program of instruction at an approved secondary school;
 - (B) has been granted a:
 - (i) high school equivalency certificate before July 1, 1995; or
 - (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or
 - (C) is a student in good standing at an approved secondary school and is engaged in a program that in due course will be completed by the end of the current academic year.
- (3) The financial resources reasonably available to the applicant,



as defined by the commission, are such that, in the absence of a higher education award under this chapter, the applicant would be deterred from completing the applicant's education at the approved postsecondary educational institution that the applicant has selected and that has accepted the applicant. In determining the financial resources reasonably available to an applicant to whom IC 21-18.5-4-8 applies, the commission must consider the financial resources of the applicant's legal parent.

(4) The applicant will use the award initially at that approved postsecondary educational institution.

(5) If the student is already enrolled in an approved postsecondary educational institution, the applicant must be a full-time student and be making satisfactory progress, as determined by the commission, toward a first baccalaureate degree.

(6) The student declares, in writing, a specific educational objective or course of study and enrolls in:

(A) courses that apply toward the requirements for completion of that objective or course of study; or

(B) courses designed to help the student develop the basic skills that the student needs to successfully achieve that objective or continue in that course of study.

(7) The student is not eligible to receive a twenty-first century scholarship under IC 21-12-6.

(8) The student is not eligible to receive a:

(A) National Guard tuition supplement grant under IC 21-13-4; or

(B) scholarship under the National Guard scholarship extension program under IC 21-13-5.

(b) This subsection applies to an individual who:

(1) meets the requirements set forth in subsection (a); and

(2) before the date that eligibility is determined by the commission, has been placed by or with the consent of the department of child services, by a court order, or by a licensed child placing agency in:

(A) a foster family home;

(B) the home of a relative or other unlicensed caretaker;

(C) a child caring institution; or

(D) a group home.

The commission shall consider an individual to whom this subsection applies as a full-need student under the commission's rules when determining the eligibility of the individual to receive financial aid administered by the commission under this chapter.



SECTION 2. IC 21-13-1-8, AS AMENDED BY SEA 434-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. "Scholarship applicant", for purposes of IC 21-13-4, means a person who:

- (1) is an eligible student;
- ~~(2) is a resident of Indiana, as determined by the commission under IC 21-13-4-1.5;~~
- ~~(3)~~ (2) has been accepted to attend a state educational institution as a full-time or part-time student;
- ~~(4)~~ (3) has been certified to have met all National Guard requirements; and
- ~~(5)~~ (4) according to commission requirements, has timely filed an application for **and, if applicable, used** any federal and state financial assistance available to the person to attend a state educational institution.

SECTION 3. IC 21-13-1-9, AS AMENDED BY SEA 434-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. "Scholarship extension applicant", for purposes of IC 21-13-5, means a person who:

- (1) is a former member of the Indiana National Guard who was called to active duty at least one (1) time while a member of the Indiana National Guard;
- (2) was a scholarship applicant when the person was called to active duty;
- ~~(3) is a resident of Indiana, as determined by the commission under IC 21-13-4-1.5;~~
- ~~(4)~~ (3) has been accepted to attend a state educational institution as a full-time or part-time student; and
- ~~(5)~~ (4) according to commission requirements, has timely filed an application for **and, if applicable, used** any federal and state financial assistance available to the person to attend a state educational institution.

SECTION 4. IC 21-13-4-1.5, AS ADDED BY SEA-434-2015, SECTION 3, IS REPEALED [EFFECTIVE JULY 1, 2015]. ~~Sec. 1-5. In determining whether an eligible student is a resident of Indiana, the commission:~~

- ~~(1) may consider only the residency status of the student; and~~
- ~~(2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid.~~

SECTION 5. IC 21-13-4-3, AS AMENDED BY P.L.281-2013, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2015]: Sec. 3. **(a) Subject to subsection (b), each scholarship awarded under this chapter:**

- (1) may be renewed under this chapter for a total scholarship award that does not exceed the equivalent of the number of terms that constitutes four (4) undergraduate academic years; and
- (2) is subject to other eligibility criteria as established by the commission.

(b) A scholarship awarded under this chapter may not be renewed if the eligible individual fails to maintain at least a cumulative grade point average that the eligible institution determines is satisfactory academic progress.

SECTION 6. IC 21-14-4-2, AS AMENDED BY P.L.169-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) Subject to this section and section 2.5 of this chapter, an eligible applicant is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institutions, without the payment of any educational costs for one hundred twenty-four (124) semester credit hours in the state educational institution.

(b) The maximum amount that an eligible applicant is exempt from paying for a semester hour is an amount equal to the cost of an undergraduate semester credit hour at the state educational institution in which the eligible applicant enrolls.

(c) This subsection applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011. This subsection applies to a student who initially enrolls in an eligible institution for a semester (or its equivalent) beginning after June 30, 2012. Subject to subsection (d), any benefits awarded under this chapter may not be renewed, subject to subsections (a) and (b), if the eligible individual fails to maintain at least ~~the following~~ a cumulative grade point average

- (1) ~~For credit hours applicable to the equivalent of the applicant's freshman academic year, a cumulative grade point average that the eligible institution determines is satisfactory academic progress.~~
- (2) ~~For credit hours applicable to the equivalent of the applicant's sophomore academic year, a cumulative grade point average of 2.25 on a 4.0 grading scale or its equivalent as established by the eligible institution.~~



~~(3) For credit hours applicable to the equivalent of the applicant's junior or senior academic year, a cumulative grade point average of 2.5 on a 4.0 grading scale or its equivalent as established by the eligible institution.~~

(d) After the first semester or its equivalent at the eligible institution that a person does not achieve the requisite cumulative grade point average specified in subsection (c), the person is considered to be on probation and must achieve the requisite cumulative grade point average by the next semester or its equivalent at the eligible institution in order to continue to receive benefits under this chapter.

(e) Notwithstanding any other provision of this chapter or another law, a change in the criteria for or the amount of a benefit awarded under this chapter enacted in the 2011 session of the general assembly applies only to an individual who qualifies for a benefit under this chapter because of a father or mother (or in the case of section 1(1) of this chapter, a related member) who enlisted or otherwise initially served in the armed forces of the United States after June 30, 2011.

SECTION 7. IC 21-16-1-8, AS AMENDED BY SEA 434-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. "Eligible student" means a student who:

(1) is enrolled as a full-time student at an approved institution of higher education in Indiana;

(2) completes a Free Application for Federal Student Aid; ~~and~~

(3) meets financial eligibility requirements based on the student's financial aid application, regardless of the date on which the application is filed; **and**

(4) meets any other criteria established by the commission.

SECTION 8. [EFFECTIVE JULY 1, 2015] **(a) The general assembly recognizes that SEA 434-2015 adds IC 21-13-4-1.5 and that SECTION 4 of this act repeals IC 21-13-4-1.5. The general assembly intends to repeal IC 21-13-4-1.5 effective July 1, 2015.**

(b) This SECTION expires January 1, 2017.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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